

TECHNOLOGY TRANSFER

. . . EMPLOYEE RESPONSIBILITIES . .

About Inventions

Inventions made by Federal employees (and other personnel appointments at NIH) *must be reported* by using the PHS Employee Invention Report Form PHS 6364 (1/93) and the NIMH Cover Sheet.

What is an invention? It may be a new and useful process, instrument or apparatus, composition of matter, or any new and useful improvement. NIH has historically sought patents for such things as vaccines, viruses, transgenic animals, cell lines, devices, antibodies, vectors, compounds, proteins, peptides, probes, chemical inhibitors, receptors, therapeutic reagents, immunotoxins, transmitters, diagnostic kits, hybridomas, instrumentation and methods. If the Government chooses not to file a patent on the invention, the rights can either be dedicated to the public or assigned to the Federal employee.

Patents and You

Patents may be issued as a result of the employee filing an invention report (EIR). **Dates are critical** in patent law because public disclosures, i.e., posters, abstracts, talks, newspaper/newsletter articles, or published manuscripts made prior to filing a patent application with the US Patent and Trademark Office may eliminate some of the Government's ability to obtain a patent on an invention. It is therefore important to file an Employee Invention Report (EIR) as soon as it is practicable. *Do not wait until submission of a scientific paper or an oral/poster presentation before filing an EIR. Submit an EIR when you are ready to write (or are writing!) your first draft.*

Royalty Income

Royalty income is paid to employees through the successful licensing of patents and unpatented biologic materials to private industry. While most patents do not result in such large royalties, a maximum of \$150,000 a year in royalty income may be earned.

MTAs

MTAs are required whenever an employee sends out or receives proprietary materials, i.e., biologicals. These agreements protect the employee and the Government against improper use of materials, as well as their

confidentiality. They must be signed by authorized ICD personnel.

CRADAs

CRADAs can be executed between NIH laboratories/branches and private industry, academia or other Government agencies to establish a cooperative research project that facilitates the transfer of technology among the parties. Valuable resources can be received by NIMH laboratories/branches, and companies have easier access to licensing of inventions. CRADAs allow the exchange of resources, including materials, personnel and equipment among the parties. Funds may also be transferred to the NIH laboratory/branch to assist in carrying out the project.



... Working For You! ...

For More Information

To learn more about your rights and responsibilities re-garding technology transfer, call or write us at the **NIMH Technology Transfer Office.!**

Kathleen Conn at 496-8826
(kc50r@nih.gov)

Anne Phillips at 402-4324
(phillipa@irp.nimh.nih.gov)

Mailing Address:
Bldg. 10/4N-222 [MSC1381]

Direct Fax : (301) 480-1384